

Attorney No. 10295
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILED 8 - 13
2016 AUG 23 PM 3:22
CLERK OF CIRCUIT COURT
LAW DIVISION

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Isaac Martinez,)
)
Plaintiff,)
) No. 16 L 5824
v.)
) Calendar
City of Chicago, a Municipal Corporation,)
Chicago Police Officer Detective Christopher)
Matias (#20315), Chicago Police Officer)
Detective David Garcia (#20429), Cook County)
Sheriff Department, Thomas Dart, in his Official)
Capacity as Cook County Sheriff, Cook County)
Correctional Officer Crawford and other)
Unknown Defendants,)
)
Defendants.)

NOTICE OF REMOVAL

TO: Curio Law Offices
Joseph Curcio
161 N. Clark St., Suite 2240
Chicago, IL 60601

City of Chicago Corporation Counsel
30 N. LaSalle St., Suite 800
Chicago, IL 60602

Defendants Cook County Sheriff Department, and Thomas Dart, properly served
defendants, by attorney ANITA ALVAREZ, Cook County State's Attorney, through Allyson L.
West, Assistant State's Attorney, represent to this Court as follows:

1. That there is now pending in the Law Division of the Circuit Court of Cook County, Illinois, a certain action in which Isaac Martinez is Plaintiff and in which Cook County Sheriff Department, and Thomas Dart are defendants under case number 16 L 5824.

2. That on April 14, 2014, Plaintiff filed this Complaint against the above-named Defendants.

3. That on April 16, 2014 Defendant County of Cook was served with Plaintiff's Amended Complaint.

4. That Defendant Tom Dart waives service of the Complaint.

5. That the Complaint is attached to this notice and incorporated by reference.

6. That the action is a suit of a civil nature.

7. That the Complaint filed by Plaintiff contains allegations that the Defendants violated Plaintiff's civil rights pursuant to the Eighth and Fourteenth Amendments of the United States Constitution. These claims are brought by the plaintiff under 42 U.S.C. 1983. Plaintiff's Complaint also alleges a state tort law claim of intentional infliction of emotional distress.

8. That this Court has original jurisdiction over this action under 28 U.S.C. sec. 1331, and supplemental jurisdiction over the state tort claims under 28 U.S.C. sec 1367. This action may be removed to this Court pursuant to 28 U.S.C. 1441, et al.

9. That this notice is being filed within thirty (30) days of the defendants being served with Plaintiff's Complaint and that the time for filing this notice has not expired.

10. That written notice of the filing of this notice has been given to all other parties as provided by law.

11. That all properly served defendants consent to the removal of this action.

12. That a true and correct copy of the notice was filed with the Clerk of the Circuit Court for Cook County, as provided by law.

WHEREFORE, Defendants respectfully request that the above-entitled action pending in the Circuit Court of Cook County, case number 16 L 5824 be removed to this Court.

Respectfully Submitted,

ANITA ALVAREZ,
Cook County State's Attorney

/s/ Allyson L. West

Allyson L. West
Assistant State's Attorney
500 Richard J. Daley Center
Chicago, IL 60602
(312)603-6299